

REMARKS

Claims 1-25 are pending. The specification is amended hereby.

The Examiner notes that the Abstract should avoid legal phraseology. The Abstract has been amended to remove legal phraseology.

Claims 1, 2, 4, 5 and 7-9 were rejected under 35 USC §102(b) as being anticipated by Echigo et al. (JP 08-160791). The Examiner considers Echigo et al. as teaching the claimed biasing member due to the angle of the guide grooves 30. This rejection is respectfully traversed.

Echigo et al. is totally different from the present invention. Although the Examiner had provided a machine translation of Echigo et al., applicants attach hereto an English translation which is more readily understandable. As is clear from the attached English translation, paragraph [0007] teaches that the heating roller 10 and pressing roller 20 are biased so as to intersect each other such that an angle θ is defined between the central axis of pressing roller 20 and the central axis of the heating roller 10, as shown in Figs. 3 and 4. This is in contrast to the claimed invention which requires that the biasing member is adapted to apply a biasing force to said pressing roller in a direction intersecting with an axis connecting the respective center positions of said fixing roller and said pressing roller. Favorable reconsideration and withdrawal of the rejection are earnestly solicited.

Claims 1 and 3 were rejected under 35 USC §102(b) as being anticipated by Moriya (JP 08-146800). Favorable reconsideration of this rejection is earnestly solicited.

Moriya also is totally different from the present invention. To assist in understanding the teachings of Moriya, a partial English translation is attached.

The principal regarding the application of the urging force from the spring in Moriya is described as follows with reference to Fig. A below.

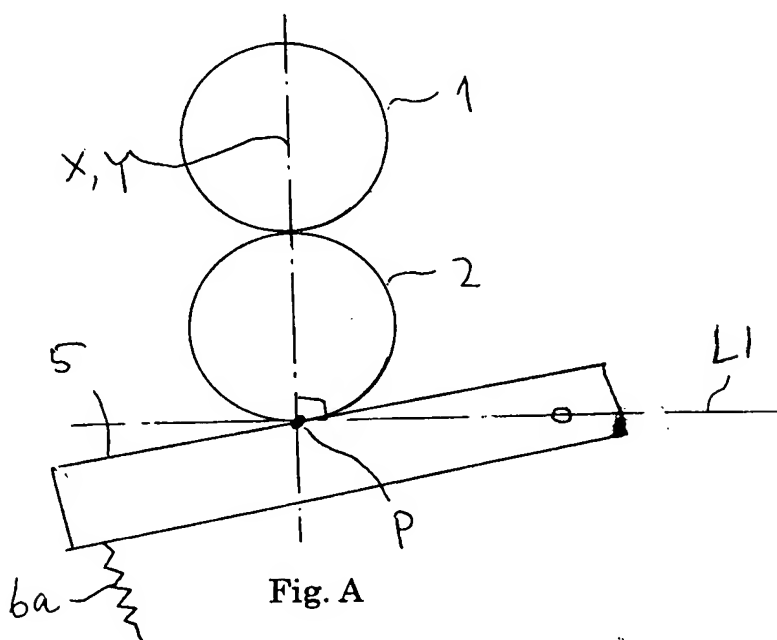


Fig. A simply shows the construction of Fig. 1 of JP 08-146800. As shown in Fig. A, roller 2 is contacted to roller 1, and arm 5 is supported so as to be rotatable around pivot center U, and contacted to bearing 3 at a point P. Arm 5 is urged to the bearing 3 of the roller 2 by spring 6a. In this construction, axis Y of urging direction is defined such that the axis Y extends so as to pass point P while being perpendicular to a line L1 which connects between the point P and center U. In this construction shown in Fig. A, the axis Y of urging direction is set to be coincided to the axis X which

connects between the centers of roller 1 and 2.

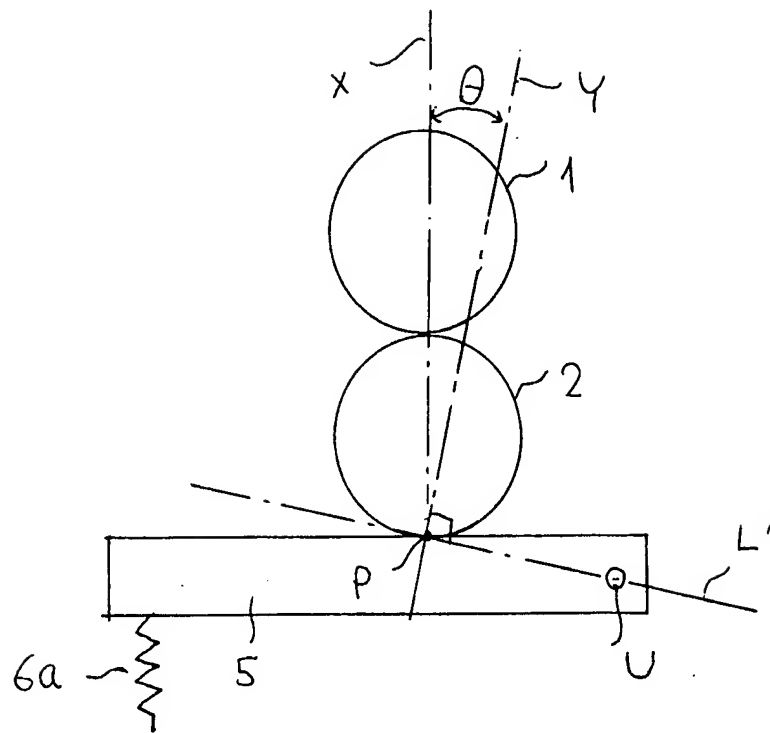


Fig. B

On the other hand, Fig. B shows another construction similar to Fig. A. In the construction shown in Fig. B, the axis Y of urging direction is set to be not coincided to the axis X which connects between the centers of roller 1 and 2. In other words, applying an urging force to roller 2 in direction Y intersecting with direction X.

As clear from Figs. A and B, direction Y is defined according to point P.

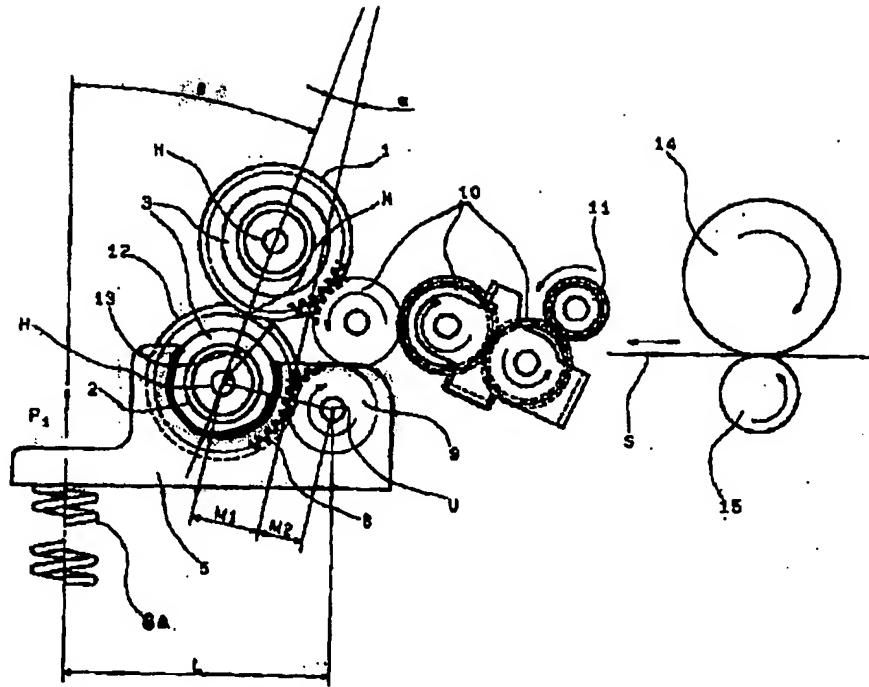


Fig. C

As shown in Fig. 1 of JP08-146800, the arm 5 contacts the bearing 3 not at a point but an arc-like surface (Please refer to Fig. C. In Fig. C, the contact area is bolded). Please note that, in Fig. 1, there is no contact point but a contact area.

It should be noted that the urging direction, that is, the central axis of spring 6a is totally different from the urging direction of roller 2 to roller 1. Accordingly, angle θ shown in Fig. 1 does not correspond to the direction Y (Fig. 2) of the present invention.

Claims 1-4 and 8 were rejected under 35 USC §102(a) as being anticipated by Hamada et al. (JP 2003-057981). This rejection is respectfully traversed.

It is noted that US Patent No. 6,763,218 is equivalent to Hamada et al. Although not

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shown on the cover of the U.S. Patent, Hamada et al. is based on Japanese application no. 2001-248,034 (see the PAIR records of the U.S. Patent and Trademark Office).

Hamada et al. is not a proper reference for a rejection under 35 USC §102(a) since the identical inventions are named in the present application. It should be noted that the English abstract provided by the Examiner has a transliteration error in the name of the second inventor. More specifically, "Azuma" should read "Higashi."

Claim 6 was rejected under 35 USC §103(a) as being unpatentable over Echigo et al. in view of Matsushige (JP 57-005073). Matsushige et al. fails to provide the teachings which Echigo et al. lacks, as discussed above. Accordingly, favorable reconsideration of this rejection is earnestly solicited.

Claims 1 and 3 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of US Patent No. 6,763,218. A terminal disclaimer and certification under 37 CFR §3.73(b) are filed herewith to overcome the rejection.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

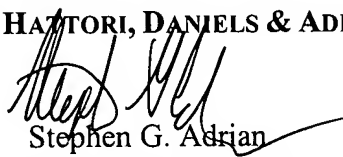
Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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SGA/arf

Attachment: English translation of "Detailed Description of the present invention"
of JP08-160791
English translation of "Detailed Description of the present invention"
of JP08-146800
Submission of Terminal Disclaimer with Certificate under 37 CFR §3.73(b)
Petition for Extension of Time